Convention on the Rights of Persons with Disabilities

Distr.: General
17 October 2018

Original: English

Committee on the Rights of Persons with Disabilities

Concluding observations on the initial report of Malta*

I. Introduction

1. The Committee considered the initial report of Malta (CRPD/C/MLT/1) at its 417th and 418th meetings (see CRPD/C/SR.417 and 418), held on 11 and 12 September 2018. It adopted the present concluding observations at its 427th meeting, held on 18 September 2018.

2. The Committee welcomes the initial report of Malta, which was prepared in accordance with the Committee's reporting guidelines, and thanks the State party for its written replies (CRPD/C/MLT/Q/1/Add.1) to the list of issues prepared by the Committee (CRPD/C/MLT/Q/1).

3. The Committee appreciates the constructive dialogue held with the large high-level delegation, which included delegates from various ministries, entities and institutions and provided further clarifications to the questions posed orally by the Committee. It also acknowledges the additional written information provided to the Committee.

II. Positive aspects

4. The Committee welcomes the State party's:

(a) Declaration of the Maltese sign language as an official language of Malta through the Maltese Sign Language Recognition Act (chap. 556);

(b) Adoption of legislation that contributes to protecting the rights of persons with disabilities, such as the Equal Opportunities (Persons with Disability) Act (chap. 413) and the Persons within the Autism Spectrum (Empowerment) Act (chap. 557);

(c) Continuing efforts to make material available in Easy Read.

III. Principal areas of concern and recommendations

A. General principles and obligations (arts. 1–4)

5. The Committee is concerned that:

(a) The three entities of the State party that certify disabilities continue to use assessments based on a medical approach and that the different assessment criteria used to

* Adopted by the Committee at its twentieth session (27 August–21 September 2018).

determine eligibility for services continue to focus on the degree of impairment of persons and are different for each entity;

(b) The articles of the Convention are not yet all enforceable under national legislation;

(c) The National Disability Strategy, which implements the National Policy on the Rights of Persons with Disability, has not been promulgated and formally launched yet;

(d) The concept of universal design is not explicitly or comprehensively defined in legislation, mainstreamed into regulations or enforced through monitoring mechanisms;

(e) The representative organizations of persons with disabilities are insufficiently included in the debates and work of government-appointed mandate holders and entities, and lack funding to support the implementation and monitoring of the rights of persons with disabilities.

6. **The Committee recommends that the State party:**

(a) **Revise and amend all laws, policies and practices, including the provisions of the Equal Opportunities (Persons with Disability) Act, the Parking Concessions for Persons with Disability Act (chap. 560), the Persons with Disability (Employment) Act (chap. 210) and the Social Security Act (chap. 318), to bring them into line with the principles and rights enshrined in the Convention;**

(b) **Ensure that a disability assessment method that fully incorporates the human rights model of disability and takes a human rights-based approach by, inter alia:**

(i) **Involving organizations of persons with disabilities in the design of disability assessment;**

(ii) **Engaging persons with disabilities in generating the information on which disability assessments are made;**

(iii) **Eliminating multiple methods to assess disability and, as a result, reducing the burden on applicants;**

(iv) **Making information on assessment requirements accessible and user friendly;**

(v) **Frequently reviewing assessment methods.**

(c) **Adopt the necessary legislative measures, including the bill on the Convention, to ensure that the articles of the Convention are judiciable;**

(d) **Accelerate the promulgation and formal launch of the National Disability Strategy, while ensuring the meaningful consultation of persons with disabilities and their representative organizations;**

(e) **Achieve full accessibility through the mainstreaming of the concept of universal design in all relevant national and municipal legislation, policies and regulations, and ensure their implementation through effective monitoring;**

(f) **Ensure the inclusion of and provide adequate funding for representative organizations of persons with disabilities to monitor effectively the implementation of the Convention.**

B. Specific rights (arts. 5–30)

Equality and non-discrimination (art. 5)

7. The Committee notes with concern that the Equal Opportunities (Persons with Disability) Act refers to multiple discrimination, but does not, however, protect persons with disabilities from intersectional discrimination in its article 3A (1). It is also concerned that the institutions responsible for the monitoring of disability-based discrimination, including the Commission for the Rights of Persons with Disability, lack the human and

financial resources to address complaints relating to discrimination in a timely manner and that legal aid is not provided to victims. While noting an increase in the number of complaints, the Committee remains concerned that the limited number of complaints by persons with disabilities, as reported by the State party, may indicate that such persons are not aware of the complaint procedures in place and of their rights, and that they may lack the necessary support to seek redress.

8. **With reference to its general comment No. 5 (2017) on living independently and being included in the community and targets 10.2 and 10.3 of the Sustainable Development Goals, the Committee recommends that the State party, while reviewing its legislation to bring it into line with the Convention:**

(a) **Amend article 3A (4) of the Equal Opportunity (Persons with Disability) Act to protect persons with disabilities against intersectional discrimination;**

(b) **Ensure the provision of adequate human, technical and financial resources to the Commission for the Rights of Persons with Disability, so that it can address disability-based discrimination complaints in a timely and cost-effective manner;**

(c) **Ensure that persons with disabilities are provided with accessible information on the mechanisms and procedures for lodging complaints and seeking remedies.**

Women with disabilities (art. 6)

9. The Committee is concerned about the absence of reliable disaggregated data aimed at better understanding the human rights situation of women and girls with disabilities. It is also concerned about the multiple and intersectional discrimination that women with disabilities face, particularly in the area of employment, and the lack of information on policies and strategies to ensure the development, advancement and empowerment of women in the political, social and economic spheres.

10. **With reference to its general comment No. 3 (2016) on women and girls with disabilities and targets 5.1, 5.2 and 5.5 of the Sustainable Development Goals, the Committee recommends that the State party strengthen data collection and publication of the human rights situation of women and girls with disabilities and establish programmes in accordance with article 6 (2) of the Convention. It also recommends that all measures be undertaken in close consultation with women and girls with disabilities and their representative organizations.**

Children with disabilities (art. 7)

11. The Committee is concerned about the institutionalization, through care orders issued under the Civil Code (chap. 16), of some children with disabilities whose families have been identified as being "unable" to take care of their children. It is also concerned about the lack of information on the involvement of children with disabilities in measures taken by the Commissioner for Children to hear the views of children on the matters that concern them, such as the Council for Children convened by the Commissioner in accordance with article 12 of the Commissioner for Children Act (chap. 462).

12. **The Committee recommends that the State party:**

(a) **Reintegrate children with disabilities who are currently institutionalized (under care orders issued under the Civil Code) into communities as expeditiously as possible, so that they can enjoy living in family settings and gain access to education and other services within the community, on an equal basis with others;**

(b) **Adopt measures to fulfil the right of children with disabilities to be consulted on all matters that affect them, and to guarantee that they have disability- and age-appropriate support to realize that right, including in measures taken by the Commissioner for Children.**

Awareness-raising (art. 8)

13. The Committee is concerned that persons with disabilities continue to be portrayed in the media from the perspective of the charity model of disability. It also notes with concern the insufficient, itemized budgetary allocation for measures aimed at increasing awareness among the population about the rights of persons with disabilities and at increasing the ability of such persons to advocate for their rights.

14. **The Committee recommends that, in close collaboration with persons with disabilities and their representative organizations, the State party:**

(a) **Adopt measures to develop and adequately fund national awareness-raising campaigns, including through the adoption of the National Disability Strategy;**

(b) **Train media professionals, civil servants and the public about the importance of reflecting and explaining the human rights model of disability;**

(c) **Periodically review and evaluate the impact of its awareness-raising efforts.**

Accessibility (art. 9)

15. The Committee is concerned that:

(a) Numerous public buildings and infrastructure remain inaccessible to persons with disabilities and do not conform to enforceable regulations, including the Development Control Design Policy Guidance and Standards, the Accessibility for All in the Built Environment standards issued by the Malta Competition and Consumer Affairs Authority and circular No. 2/14 of the Planning Authority;

(b) Public transport services are not always accessible to persons with disabilities and that there are no regulations prohibiting private transport services from discriminatorily charging persons with disabilities a higher fare than clients without disabilities;

(c) There is a lack of accessible information, and information and communications technology, for persons with disabilities.

16. **The Committee recommends that the State party pay attention to the link between article 9 of the Convention and targets 9.c, 11.2 and 11.7 of the Sustainable Development Goals and, in line with its general comment No. 2 (2014) on accessibility:**

(a) **Review the monitoring and enforcement mechanisms in place through the Planning Authority and the "Test of Reasonableness Board" of the Commission for the Rights of Persons with Disability to ensure that they have the means necessary to review construction plans and enforce national accessibility standards;**

(b) **Strengthen the enforcement mechanisms through Transport Malta to ensure that public and private service providers adhere to the concession agreements between Transport Malta and the local public bus transport operators, to the Taxi Services Regulations and to the Accessibility for All in the Built Environment standards issued by the Malta Competition and Consumer Affairs Authority;**

(c) **Ensure that information and communications, including information and communications technology, are accessible to persons with disabilities, on an equal basis with others, and ensure that the law is strengthened, monitored and implemented;**

(d) **Empower persons with disabilities through their representative organizations to take part in the monitoring of the implementation of accessibility standards.**

Situations of risk and humanitarian emergencies (art. 11)

17. The Committee is concerned about the lack of information on the inclusion of persons with disabilities in the planning, implementation and monitoring processes of disaster risk reduction, such as the general emergency plan, the regional evacuation plan and the development of new technologies and services. It is also concerned that some

reception centres for asylum seekers and the Office of the Refugee Commissioner are not accessible to persons with disabilities and that information for such persons, particularly asylum seekers, is lacking in accessible formats.

18. **The Committee recommends, in line with the Sendai Framework for Disaster Risk Reduction 2015–2030, that the State party ensure that persons with disabilities are included in the planning, implementation and monitoring processes of disaster risk reduction. It calls on the State party to improve access to facilities and information for asylum seekers with disabilities.**

Equal recognition before the law (art. 12)

19. The Committee is seriously concerned that persons with disabilities are still deprived of their legal capacity and subject to multiple forms of discrimination, pursuant to certain provisions of the Civil Code, the Code of Organization and Civil Procedure (chap. 12) and the Code of Organization and Civil Procedure and the Civil Code (Amendment) Act ("Guardianship Act"), which provide for substitute decision-making regimes. It is also concerned that persons with disabilities, in particular persons with psychosocial and/or intellectual disabilities, are still placed under interdiction and incapacitation orders, and that the personal autonomy bill, which is currently being drafted, may deprive persons with disabilities of their legal capacity, by introducing concepts and mechanisms such as "safeguarder", "co-decision-making" and "representation agreements".

20. **Recalling its general comment No. 1 (2014) on equal recognition before the law, the Committee recommends that the State party, in close cooperation with persons with disabilities through their representative organizations:**

(a) **Amend all discriminatory legal provisions, including provisions of the Civil Code, the Code of Organization and Civil Procedure and the Code of Organization and Civil Procedure and the Civil Code (Amendment) Act ("Guardianship Act"), with a view to abolishing substitute decision-making regimes;**

(b) **Restore the full legal capacity of all persons with disabilities and review its guardianship system and all remaining interdiction and incapacitation orders;**

(c) **Introduce supported decision-making mechanisms that respect the autonomy, will and preferences of persons with disabilities, and adopt and implement a personal autonomy bill that is in accordance with article 12 of the Convention;**

(d) **Improve data collection and disaggregation concerning persons who are still under substitute decision-making regimes and interdiction or incapacitation orders, with a view to improving public policies designed for social inclusion.**

Access to justice (art. 13)

21. The Committee is concerned about the lack of information on specific measures and protocols to implement article 3A (4) of the Equal Opportunities (Persons with Disability) Act and to provide procedural and gender- and age-appropriate accommodation in judicial proceedings for persons with disabilities, in addition to selected measures aimed at facilitating communication (article 593 of the Code of Organization and Civil Procedure and articles 451 and 640 of the Criminal Code (chap. 9)). The Committee is also concerned by the lack of documents in accessible formats for blind and deafblind persons and persons with intellectual or psychosocial disabilities in various proceedings and the absence of policies to empower persons with disabilities to participate in the justice system as direct or indirect participants, such as lawyers, court officers or law enforcement officials. It is further concerned about the lack of systematic and continuous training for members of the judiciary, members of the legal profession, prosecutors and prison officers with regard to the equal rights of persons with disabilities and human rights in general.

22. **The Committee recommends that the State party:**

(a) **Ensure the implementation of its legislation to guarantee the provision of procedural and gender- and age-appropriate accommodations based on the free choice and preferences of persons with disabilities, and establish related safeguards to**

enable the participation of persons with disabilities in all legal proceedings on an equal basis with others, including through the provision of documents in accessible formats;

(b) **Provide free or affordable legal aid for persons with disabilities in all areas of law and ensure the necessary budgetary allocations to the institution or institutions mandated with this task;**

(c) **Increase its efforts to empower persons with disabilities to participate in the justice system as direct or indirect participants, such as lawyers, court officers or law enforcement officials;**

(d) **Provide mandatory and ongoing capacity-building programmes, including training on the provisions of the Convention for members of the judiciary and the legal profession; for example, by broadening the audience of the disability equality training that is currently being provided to the recruits at the Police Academy;**

(e) **Be guided by article 13 of the Convention in its implementation of target 16.3 of the Sustainable Development Goals.**

Liberty and security of the person (art. 14)

23. The Committee is concerned that some legislation in place is not in line with the Convention, particularly the Mental Health Act (chap. 525), which allows the involuntary detainment and non-consensual psychiatric treatment of persons with disabilities, on the grounds of psychosocial or intellectual disabilities. It also notes with concern the continued hospitalization of persons with psychosocial or intellectual disabilities without their consent.

24. **The Committee recommends that the State party revise and repeal the legal provisions that legitimize forced internment and non-consensual psychiatric treatment on the grounds of psychosocial and intellectual disabilities, and fully harmonize their provisions with article 14 of the Convention and the Committee's guidelines on the right to liberty and security of persons with disabilities (A/72/55, annex).**

Freedom from torture or cruel, inhuman or degrading treatment or punishment (art. 15)

25. The Committee notes with concern the legal provisions in the Mental Health Act that allow for the use of restraints and seclusion against persons with psychosocial or intellectual disabilities, which may amount to torture, cruel, inhuman or degrading treatment or punishment. It is also concerned that organizations of persons with disabilities are not systematically involved in the two national preventive mechanisms designed by the State party to implement the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

26. **The Committee recommends that the State party take immediate steps to review and repeal existing legislation, specifically the provisions of the Mental Health Act that allow for the use of restraint and seclusion in the case of "mental disorder". It also calls on the State party to ensure the involvement of organizations of persons with disabilities in the implementation of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.**

Freedom from exploitation, violence and abuse (art. 16)

27. The Committee notes with concern that:

(a) Persons with disabilities, in particular women and girls with disabilities, are subject to violence and abuse, including domestic violence, and that laws in this regard, including the Gender-based Violence and Domestic Violence Act (chap. 581), lack a disability perspective and monitoring mechanisms to detect, prevent and combat violence within and outside the home, especially in cases that are not reported;

(b) Shelters for persons exposed to violence are not fully accessible, including a lack of information in accessible formats and care for persons with disabilities, particularly persons with psychosocial or intellectual disabilities, in the shelters.

28. **The Committee recommends that the State party:**

(a) **Review the Gender-based Violence and Domestic Violence Act to ensure that it has a disability perspective, to enact other relevant legislation, such as the planned bill on the protection of vulnerable older persons and adult persons with disabilities, and to ensure that the perpetrators of violence and abuse are prosecuted and given penalties commensurate with the gravity of their acts;**

(b) **Ensure the availability of accessible and inclusive support services for the psychological and physical recovery of persons with disabilities subjected to violence.**

Living independently and being included in the community (art. 19)

29. The Committee is concerned that the State party continues to institutionalize persons with disabilities and has not yet adopted national legislation incorporating the legal provisions of article 19 of the Convention, so that they become directly justiciable, or provided tools for their enforcement. The Committee is also concerned at the limited financial support to persons with disabilities to employ personal assistance that would allow them to live independently and the lack of professionals who provide skills training to support persons with disabilities in the community.

30. **The Committee recommends that the State party take into account its general comment No. 5 (2017) and:**

(a) **Ensure that existing residential institutions that contribute to the isolation of persons with disabilities are closed and that the provision of appropriate community-based services is strengthened;**

(b) **Ensure that all projects supported by public funds are carried out in a community setting, do not contribute to isolation of persons with disabilities, are monitored by organizations of persons with disabilities and are provided with sustainable continuous funding;**

(c) **Adopt the legal and other measures, such as the planned bill on personal autonomy and the bill on the Convention, necessary to make article 19 of the Convention justiciable;**

(d) **Ensure that financial and other measures are in place to allow persons with disabilities to be provided with personal assistance and that personnel supporting persons with disabilities in the community are appropriately trained, if necessary.**

Freedom of expression and opinion, and access to information (art. 21)

31. The Committee is concerned about:

(a) The insufficient provision of information in accessible formats and information and communications technology, such as Easy Read, plain language, subtitles, sign language, Braille, audio-description, and tactile, augmentative and alternative means of communication;

(b) The lack of accessibility of most television broadcast and mass media, beyond news bulletins and political debates;

(c) The limited number of sign language interpreters.

32. **The Committee recommends that the State party:**

(a) **Increase the provision of accessible information and communication formats and technologies, which are appropriate for persons with disabilities, including Internet accessibility, sign language, subtitles, Braille, Easy Read, plain language, and tactile, augmentative and alternative means of communication in relation to all public services;**

(b) **Ensure that persons with disabilities have access to television broadcast and mass media;**

(c) **Adopt capacity-building programmes, including the training of sign language interpreters, and ensure their availability in sufficient numbers.**

Respect for home and the family (art. 23)

33. The Committee is concerned about the existence of discriminatory laws relating to the right to marry and found a family, in particular the Marriage Act (chap. 255), which contradicts the Equal Opportunities (Persons with Disability) Act.

34. **The Committee recommends that the State party amend or repeal all legislation that does not respect and protect the right of persons with disabilities to marry and found a family, in particular the Marriage Act.**

Education (art. 24)

35. The Committee is concerned that:

(a) The concept of inclusive education is not fully applied in the State party;

(b) The number of available learning support educators is insufficient and that resources are inadequate to ensure their replacement, in case of absence;

(c) There are reports of children and students with disabilities having been denied access to educational institutions on the basis of their disabilities, such as childcare centres and summer schools, and the lack of accessible mechanisms for them to obtain redress when such discrimination occurs;

(d) Many students with disabilities undertake skills training at resource centres that are often located a considerable distance from their schools and homes during their secondary education or after its completion, which separates them from their peers;

(e) The State party has not carried out sufficient research into the effectiveness of the current education inclusion policy and made research information available to professionals in the education sector and the population on the socioeconomic and cultural benefits of inclusive education.

36. **Recalling its general comment No. 4 (2016) on the right to inclusive education and Goal 4 of the Sustainable Development Goals, especially targets 4.5 and 4.a, the Committee recommends that the State party:**

(a) **Ensure the implementation of its laws on education, and accelerate the adoption process of the bill on the Convention, to ensure that violations of the rights under article 24 of the Convention become justiciable in the State party;**

(b) **Adopt measures to ensure that students with disabilities, including students with intellectual or psychosocial disabilities, are provided with reasonable accommodation at all levels of education, and allocate the resources necessary to guarantee reasonable accommodation according to individual requirements in consultation with the person concerned, including the provision of learning support educators and their replacements when they are absent;**

(c) **Ensure accessible mechanisms for accountability and redress in cases in which educational institutions, such as childcare centres and summer schools, or teachers discriminate against students on the basis of their disability;**

(d) **Review the curriculum of students with disabilities through individualized education plans to ensure that the curricula allow them to learn the skills required to access the job market on an equal basis with others;**

(e) **Carry out research on the extent to which accessibility standards are being complied with in the State party to obtain a full understanding of the barriers persons with disabilities face in the education system and the solutions required to enable their full participation, and to make research findings on the socioeconomic and cultural benefits of inclusive education available to all relevant stakeholders.**

Health (art. 25)

37. The Committee is concerned about the interpretative declaration that the State party has made on article 25 (a) of the Convention, according to which the State party interprets the phrase "sexual and reproductive health" in that article as not constituting recognition of any new international law obligation, creating any abortion rights nor constituting support, endorsement or promotion of abortion.

38. **The Committee urges the State party to withdraw its interpretative declaration on article 25 (a) of the Convention in order to allow persons with disabilities to enjoy the right to health on an equal basis with others.**

Work and employment (art. 27)

39. The Committee is concerned about the low level of employment of persons with disabilities in the public and private sectors, despite the quota system that is provided for in articles 15 and 16 of the Persons with Disability (Employment) Act and other policy measures introduced by the State party. It notes with concern that:

(a) Article 17 (3) of the Constitution of the State party states only that "disabled persons and persons incapable of work are entitled to education and vocational training";

(b) The current quota system under the Persons with Disability (Employment) Act seems ineffective, inasmuch as it is only applicable to employers employing 20 or more employees;

(c) The State party uses medicalized criteria to assess the suitability of persons with disabilities to work, in violation of article 1 of the Convention;

(d) The high number of employers who do not employ persons with disabilities irrespective of their ability to work.

40. **The Committee recommends that the State party adopt further enforcement mechanisms and incentives to ensure the implementation of the quota system under articles 15 and 16 of the Persons with Disability (Employment) Act and other measures to support persons with disabilities to work in the open labour market, in accordance with the Convention and target 8.5 of the Sustainable Development Goals, and ensure the achievement of full and productive employment and decent work for all. It also recommends that the State party:**

(a) **Amend article 17 (3) of its Constitution to bring it in conformity with article 27 of the Convention;**

(b) **Review the quota system under the Persons with Disability (Employment) Act in order to make it applicable to enterprises with less than 20 employees;**

(c) **Replace any assessment of suitability to work with an assessment that considers the needs and requirements for reasonable accommodation at work for persons with disabilities;**

(d) **Step up efforts to raise awareness among employers on the rights of persons with disabilities to work in the open labour market, in particular the provision of reasonable accommodation, and on the benefits of employing persons with disabilities.**

Participation in political and public life (art. 29)

41. The Committee is concerned that the State party maintains its reservation to article 29 (a) (i) and (iii) of the Convention, according to which the State party reserves the right to continue to apply its current electoral legislation insofar as voting procedures, facilities and materials, as well as assistance in voting procedures, are concerned. It is concerned that the right of persons with intellectual or psychosocial disabilities to vote is conditional upon an examination by a Medical Board and that voting material in Braille is not available to persons with visual impairments. The Committee notes with concern the lack of information on the representation and participation of persons with disabilities in political

and public life and the fact that they do not effectively participate in the process of decision-making.

42. **The Committee recommends that the State party, in consultation with organizations of persons with disabilities:**

(a) **Withdraw its reservation to article 29 (a) (i) and (iii) of the Convention, so that persons with disabilities can exercise the right to vote;**

(b) **Take the legal and policy measures to empower persons with disabilities to effectively participate in political and public life and decision-making processes, in particular provide the necessary support for persons with psychosocial or intellectual disabilities, so that they can participate in such processes on an equal basis with others;**

(c) **Ensure that all electoral procedures, facilities and materials are accessible to all persons with disabilities, including through audio devices, ensuring their right to a secret ballot;**

(d) **Promote the participation of persons with disabilities, including women, in political and public life and decision-making.**

Participation in cultural life, recreation, leisure and sport (art. 30)

43. The Committee is concerned that persons with disabilities face barriers to participate in cultural life, recreation, leisure and sport on an equal basis with others and that their participation in most cases still depends on assistance by a relative or caregiver. It also notes that the State party is awaiting the ratification of the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled by the European Union.

44. **The Committee recommends that the State party itemize a budget to promote and protect the right of persons with disabilities to participate in cultural life, recreation, leisure and sport on an equal basis with others, including measures that provide assistance as needed. It encourages the State party to adopt all appropriate measures to prepare for the implementation of the Marrakesh Treaty upon its ratification in order to allow access to materials to persons with visual impairments or who are otherwise print disabled.**

C. Specific obligations (arts. 31–33)

Statistics and data collection (art. 31)

45. The Committee is concerned about the lack of a disaggregated data-collection system and unified indicators across the State party concerning the human rights of persons with disabilities. It also notes the lack of information on the accessibility of statistics by persons with disabilities.

46. **In view of target 17.18 of the Sustainable Development Goals, the Committee recommends that the State party:**

(a) **Establish a unified data-collection system that is in line with the Convention and takes into account the Washington Group Short Set of Questions on Disability;**

(b) **Ensure the access of persons with disabilities to all statistical data in accessible formats.**

International cooperation (art. 32)

47. The Committee is concerned about the lack of information on the effective involvement of organizations of persons with disabilities in the State party's foreign and international cooperation policy and that related information is not fully disclosed to organizations of persons with disabilities in the State party. The Committee is particularly

concerned about the reported insufficient involvement of the Maltese representative body of organizations of persons with disabilities in the field of international cooperation.

48. **The Committee calls on the State party to involve the Maltese representative body of organizations of persons with disabilities in international cooperation, in particular to disclose policies and information.**

National implementation and monitoring (art. 33)

49. The Committee is concerned about the lack of independence and transparency of the Commission for the Rights of Persons with Disability designated under article 33 (2) of the Convention, inasmuch as the appointment of its members under the Equal Opportunities (Persons with Disability) Act is undertaken by the executive branch.

50. **Taking into account its guidelines on independent monitoring frameworks and their participation in the work of the Committee (CRPD/C/1/Rev.1, annex), the Committee recommends that the State party repeal and/or amend articles 21 (1) and 24 (1) of the Equal Opportunities (Persons with Disability) Act to ensure sufficient representation and engagement of representative organizations of persons with disabilities, accountability and transparency. It further calls on the State party to review the draft bill on human rights and the equality commission to ensure that the planned Maltese national human rights institute adheres to the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles).**

IV. Follow-up

Dissemination of information

51. **The Committee emphasizes the importance of all the recommendations contained in the present concluding observations and would like to draw the attention of the State party to the recommendations contained in paragraph 8 on equality and non-discrimination and in paragraph 50 on national implementation and monitoring, on which urgent measures must be taken.**

52. **The Committee requests the State party to implement the recommendations contained in the present concluding observations. It recommends that the State party transmit the concluding observations for consideration and action to members of the Government and Parliament, officials in relevant ministries, local authorities and members of relevant professional groups, such as education, medical and legal professionals, as well as to the media, using modern social communication strategies.**

53. **The Committee strongly encourages the State party to involve civil society organizations, in particular organizations of persons with disabilities, in the preparation of its periodic report.**

54. **The Committee requests the State party to disseminate the present concluding observations widely, including to non-governmental organizations and organizations of persons with disabilities, and to persons with disabilities themselves and members of their families, in national and minority languages, including sign language, and in accessible formats, including Easy Read, and to make them available on the government website on human rights.**

Next periodic report

55. **The Committee requests the State party to submit its combined second, third and fourth periodic reports by 10 November 2026 and to include therein information on the implementation of the recommendations made in the present concluding observations. The Committee also requests the State party to consider submitting the above-mentioned reports under the Committee's simplified reporting procedure, according to which the Committee prepares a list of issues at least one year prior to the due date set for the report of a State party. The replies of a State party to such a list of issues constitute its report.**